

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

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|-----------------------------------------------------------------------------------------------------------|---|-----------------|
| SCOTT L. BAENA, Litigation Trustee of the Lernout & Hauspie Speech Products, N.V. Litigation Trust, | : | 04-CV-12606-PBS |
| Plaintiff, | | : |
| v. | : | |
| KPMG LLP and KLYNVELD PEAT MARWICK GOERDELER BEDRIJFSREVISOREN, | : | |
| Defendants. | | : |

**PLAINTIFF'S CERTIFICATION PURSUANT TO
LOCAL RULE 16.1(D)(3)**

In accordance with Local Rule 16.1(D)(3), Plaintiff and Plaintiff's counsel affirm that they have conferred:

- (a) with a view to establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and
- (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated: February 28, 2005

Respectfully submitted,

NYSTROM BECKMAN & PARIS LLP

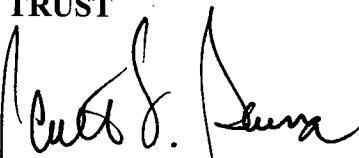


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LITIGATION TRUSTEE OF THE
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SPEECH PRODUCTS N.V. LITIGATION
TRUST**



Scott L. Baena
Litigation Trustee of the Lernout & Hauspie
Speech Products N.V. Litigation Trust

ON BEHALF OF PLAINTIFF